IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

CRIMINAL APPLICATION NO. 3448 OF 2007

Mr.Brijbhan Tulsiram Yadav. ... Applicant.

V/s.

The State of Maharashtra & Anr. ... Respondent.

G.P.Dwivedi for the applicant.

Ms.S.D.Shinde, A.P.P. for the State.

CORAM: V.C.DAGA, J.

DATED: 17th October 2007.

P.C.:

. Heard learned counsel for the applicants and learned A.P.P. for the State.

2. The applicant had moved the Sessions Court for bail. It appears from the order dated 18th September, 2007 produced along with the application that the applicant did not press his application for bail before the Sessions Court for anticipatory bail. In the circumstances, application came to be dismissed as not pressed.

3. In the above view of the matter, it is clear that the applicant did not press his application

before the Sessions Court and moved this Court for anticipatory bail. In the circumstances, this application cannot be entertained. However, rejection of this application shall not come in the way of the applicant if he decides to move the Sessions Court. In that event, it would be open to the Sessions Court to decide his application on its own merits.

4. With the aforesaid observations, application is rejected.

JUDGE